REMARKS

The Specification has been amended to delete reference to the parent application(s)/patent(s). Applicant drops his priority claim with respect to the parent application(s)/patents(s).

Turning to the non-statutory obviousness-type double patenting rejections, accompanying this Amendment is a Terminal Disclaimer thus rendering moot the obviousness-type double patenting rejections.

Turning to the rejection of claims 1-16 as obvious from Ma et al. in view of Mori, Damme et al., Thackeray et al., Meyrick et al., Tsuji et al., DeBoer et al. and Ehretsmam (sic) et al., and the rejection of claims 1-16 as obvious from Arimatsu et al. in view of Mori, Damme et al. Thackeray et al., Meyrick et al., Tsuji et al.; DeBoer et al., and Ehretsmam (sic) et al., and the rejection of claims 1-16 as obvious from Furukawa et al. in view of Mori, Damme et al., Thackeray et al., Meyrick et al., Tsuji et al., DeBoer et al. and Ehretsmam (sic) et al. and the rejection of claims 1-16 as obvious from Miyabe et al. in view of Mori, Damme et al., Thackeray et al., Meyrick et al., Tsuji et al., DeBoer et al. and Ehretsmam (sic) et al., it is noted that none of the primary references of Ma et al., Arimatsu et al., Furukawa et al., and Miyabe et al. teach or suggest imagewise applying droplets of near infrared absorbing imaging material to a plate coating and exposing the plate to near infrared emitters to immobilize portions of the coating underlying the applied imaging material as required by Applicant's independent claim 1 as amended. Indeed, the Examiner appears to acknowledge this basic deficiency in the several primary references, but takes the position that this missing teaching is supplied by Mori.

Mori is cited as teaching use of a near infrared emitter energy heater and for disclosing materials capable of absorbing near infrared energy in various energy ranges (e.g. 3.2-3.3 μm,

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5.7-6.1 μm). However, Mori does not teach or suggest imagewise applying droplets of near infrared absorbing imaging material to a plate coating, and exposing the plate to near infrared emitters to immobilze portions of the *underlying coating* as required by Applicant's independent claim 1. By contrast, Mori teaches forming a layer containing a "light-heat conversion material" (col. 21, line 54 - col. 24, line 24) and imaging that layer: "the area exposed to infra-red laser light is changed to water-insoluble without ablation, and the non exposed (sic) area is rapidly dissolved in water." (Column 7, lines 56-58.) In other words, in Mori, the infrared laser directly exposes the image forming layer.

Nor do any of the other secondary references alone or in combination supply the missing teachings to Ma et al. or to Arimatsu et al. or to Furukawa or to Miyabe et al. to achieve or render obvious any of Applicant's claims.

Damme et al. is cited as teaching a washing or rinsing step using water after a developing step. Damme does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

Thackeray et al. is cited as teaching the use of novolac and naphthoquinone diazide sulfonic acid ester as well as lovalac and latent bronsted acid. Tackeray is also cited as teaching a drying step after wet development steps. Thackeray does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

Meyrick et al. is cited as teaching a pigment capable of absorbing infrared energy having a wavelength 2.2-3.2 microns. Meyrick does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

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Tsuji et al. is cited as teaching the use of polyazide or diazo resin or binder. Tsuji does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

DeBoer et al. is cited as teaching the use of resole and novolac resins and a latent Bronsted acid. DeBoer does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

Ehretsmann et al. is cited as teaching the use of a heat setting monomer as a film forming agent or binder. Ehretsmann does not teach or suggest infrared absorption immobilization of an underlying coating as required by Applicant's independent claim 1.

Thus, no combination of any of the art cited by the Examiner reasonably could be said to disclose or render obvious Applicant's claim 1, or any of the claims which depend thereon.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

Form PTO-2038 is enclosed in the amount of $65.00 for the Terminal Disclaimer fee.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 3, 2005 at Tucson, Arizona.

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